

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Margaret E. Sager, II, et al.,
Plaintiffs
v.
Michael Johnson, et al.,
Defendants

Case No.: 2:13-cv-1235-JAD-CWH

**Order Denying Motion for
Reconsideration [Doc. 15]**

On January 14, 2014, I ordered *pro se* plaintiffs Margaret Sager and Victor Albanese's complaint dismissed for their failure to pay the \$400 filing fee, and I entered judgment in favor of all defendants.¹ More than fifteen months later, on April 1, 2015, plaintiffs filed a document that I liberally construe as a motion for reconsideration of my order of dismissal and entry of judgment.² They argue that they are terrorized every night and that Sager is the victim of a conspiracy "involving 911, President Obama and the world around you and I."³ Plaintiffs claim this state of affairs is "very provable with evidence is abundance," and that I should "take a look at [her] so called filed records."⁴ Plaintiffs request a court date.⁵

Although the federal rules do not expressly provide for motions for reconsideration such requests are commonly entertained under Federal Rule of Civil Procedure 59(e) and 60(b).⁶ The

¹ Docs. 12, 13.

² Doc. 15.

³ *Id.*

⁴ *Id.* (spelling in original).

⁵ *Id.*

⁶ Rule 59(e) governs judgments, and Rule 60 applies generally to all orders. A request under Rule 59 must be brought within 28 days of judgment, Rule 59(e); a party has one year to bring a request for reconsideration under Rule 60(b)(1)-(3).

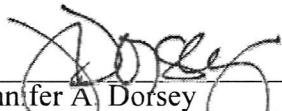
1 district court may grant relief from a judgment or order under Rule 60(b)(4) if the judgment is void,
2 and under Rule 60(b)(5) if, *inter alia*, “applying it prospectively is no longer equitable.” Finally,
3 under Rule 60(b)(6), a court may provide relief from a final order for “any other reason that justifies
4 relief.”⁷ Courts use Rule 60(b)(6) sparingly; to receive relief under the residual provision in FRCP
5 60(b)(6), a party must demonstrate “extraordinary circumstances.”⁸

6 Plaintiffs’ challenge fails on all fronts. They provide no evidence of any wide-ranging
7 “conspiracy,” or explain how their allegations impact the validity of the judgment or make it
8 inequitable to apply the judgment prospectively. I find no other good reason to set aside the order
9 and judgment.

10 Conclusion

11 Accordingly, it is hereby ORDERED that the Motion for Reconsideration [Doc. 15] is
12 DENIED.

13 DATED May 12, 2015.

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15 Jennifer A. Dorsey
16 United States District Judge
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26 ⁷ *Id.*

27 ⁸ *Greenwalt v. Stewart*, 105 F.3d 1268, 1273 (9th Cir. 1997).
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